

GOODWIN PROCTER

Jamie O. Fleckner  
617.570.1153  
jfleckner@  
goodwinprocter.com

Goodwin Procter LLP  
Counsellors at Law  
Exchange Place  
Boston, MA 02109  
T: 617.570.1000  
F: 617.523.1231

August 13, 2004

**BY HAND**

Clerk's Office  
U.S. District Court for the District of Massachusetts  
United States Courthouse  
1 Courthouse Way  
Boston, Massachusetts 02210

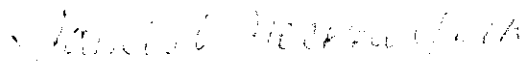
**Re: Bahe v. Franklin/Templeton Distributors, Inc., et al., Civ. No. 04-11195 (MLW)**

Dear Sir/Madam:

Enclosed for filing and docketing in the above-referenced matter please find "Amended Stipulation and Order for Extension of Time and Briefing Schedule."

Kindly acknowledge receipt of this document by signing and date stamping the enclosed copy of this letter and document and returning the same to me via my messenger.

Very truly yours,

  
James O. Fleckner

Enclosure

cc: Edward F. Haber, Esq. (by mail, w/ enclosure)  
Daniel A. Pollack, Esq. (by mail, w/ enclosure)  
James S. Dittmar, P.C. (w/ enclosure)  
Stuart M. Glass, Esq. (w/ enclosure)

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ERIC R. BAHE, Custodian, CGM Roth  
Conversion IRA,

Plaintiff,

v.

FRANKLIN/TEMPLETON DISTRIBUTORS,  
INC., FRANK T. CROHN, BURTON J.  
GREENWALD, CHARLES RUBENS II,  
LEONARD RUBIN, and WILLIAM J.  
LIPPMAN,

Defendants, and

FRANKLIN BALANCE SHEET  
INVESTMENT FUND,

Nominal Defendant.

Civil Action No. 04-11195-MLW

**AMENDED STIPULATION AND ORDER FOR  
EXTENSION OF TIME AND BRIEFING SCHEDULE**

It is hereby stipulated and agreed by and between plaintiff Eric R. Bahe and defendants Franklin/Templeton Distributors, Inc., Frank T. Crohn, Burton J. Greenwald, Charles Rubens II, Leonard Rubin and William J. Lippman that the time within which the defendants may respond to plaintiff's complaint by answer, motion or otherwise shall be extended and enlarged to and including August 27, 2004 and that if defendants file a motion to transfer venue, they shall not move to stay proceedings or seek a further extension of time to respond to the complaint due to the pendency of such motion. Further, if defendants move to dismiss the complaint, plaintiff shall have until October 4, 2004 to serve an opposition and defendants shall have until October 29, 2004 to serve reply briefs.

Defendants expressly reserve and do not waive any defenses to the complaint.

Respectfully submitted,

ERIC R. BAHE, CUSTODIAN, CGM ROTH  
CONVERSION IRA

By his attorneys,

Theodore M. Hess-Mahan / KLA  
Edward F. Haber (BBO #215620)  
Theodore M. Hess-Mahan (BBO #557109)  
Shapiro Haber & Umy LLP  
53 State Street, 37<sup>th</sup> Floor  
Boston, MA 02109  
(617) 439-3939

Respectfully submitted,

FRANKLIN/TEMPLETON DISTRIBUTORS,  
INC. AND WILLIAM J. LIPPMAN

By their attorneys,

Daniel A. Pollack / KLA  
Daniel A. Pollack  
Martin I. Kaminsky  
Anthony Zaccaria  
Edward T. McDermott  
Pollack & Kaminsky  
114 West 47<sup>th</sup> Street, Suite 1900  
New York, NY 10036-8295  
(212) 575-4700

FRANK T. CROHN, BURTON J.  
GREENWALD, CHARLES RUBENS II AND  
LEONARD RUBIN

By their attorneys,

James S. Dittmar / PC  
James S. Dittmar, PC (BBO #126320)  
Stuart M. Glass (BBO #641466)  
James O. Fleckner (BBO #641494)  
GOODWIN PROCTER LLP  
Exchange Place  
Boston, Massachusetts 02109-2881  
(617) 570-1000

Dated: August 13, 2004


SO ORDERED: \_\_\_\_\_  
Wolf, J.

**CERTIFICATE OF SERVICE**

I, James O. Fleckner, hereby certify that on August 13, 2004, a true and accurate copy of the foregoing Stipulation of Extension of Time was served by First Class Mail, postage prepaid, to:

Edward F. Haber  
Shapiro Haber & Urmy LLP  
53 State Street, 37<sup>th</sup> Floor  
Boston, MA 02109  
(617) 439-3939

Daniel A. Pollack  
Pollack & Kaminsky  
114 West 47<sup>th</sup> Street, Suite 1900  
New York, NY 10036-8295  
(212) 575-4700

  
James O. Fleckner